

Building a Better Brockton Inc.
Minutes
Thursday, October 29, 2009
Old Colony YMCA Conference Room
320 Main Street, Brockton MA
4:00 PM

Chairman Vincent Marturano welcomed everyone and called the meeting to order at precisely 4:04PM.

Present members included: Pat Ciaramella, Jay Condon, Christopher Cooney, Tim Cruise, Jamie Holmgren, Ted Lane, Ray Ledoux, Vincent Marturano, John Merian, Peter Neville, Richard Sergi and Joe Stadelmann. In accordance with Building a Better Brockton Inc. by-laws the following members are recognize in attendance via conference call: David Curtis, James Harrington, Richard Hynes, Sue Joss, Peter Landerholm, and Dwight Miller.

Absent member: Mr. Gerard Nadeau.

Staff Present: Robert Jenkins, Housing Director

Chairman Marturano recognizes Mr. James Burke as our only guest.

Minutes:

Chairman asked that everyone review the minutes of October 20, 2009 board meeting. Peter Neville identified a typographical error in the staff report section of the minutes. Consolidated Annual Performance Evaluation Revue should be "Consolidated Annual Performance and Evaluation Report".

Voted (1): A motion was made by Mr. Neville, seconded by Mr. Cooney.
The motion to approve minutes of the 10/20/2009 board meeting of Building a Better Brockton Board are hereby accepted; the following members abstained from the vote: Pat Ciaramella (not present at 10/20/09 board meeting); Tim Cruise (not present at 10/20/09 board meeting); Jamie Holmgren (not present at 10/20/09 board meeting); and Ted Lane (not present at 10/20/09 board meeting).

Proposed Conflict of Interest Policy:

Chairman Marturano went through and discussed Building a Better Brockton's (BBB) "Conflict of Interest Policy". He directed the Board's attention to documents in their package; the Memorandum from the City Solicitor to Mr. Condon regarding his legal opinion on the matter was reviewed. Chairman Marturano also pointed out that in each board members package was BBB policy and each member of the board is required to complete, sign, and return it to his attention. He informed the members who had called in to participate that he would get a printed copy of the "Conflict of Interest Policy" to them directly as soon as possible.

Voted (2): A motion was made by Christopher Cooney to accept the Building a Better Brockton's (BBB) "Conflict of Interest Policy", seconded by Ted Lane.
Motion was voted and approved.
18-for; 0-against; 0-abstention/recuse

Chairman Marturano also discussed the reviving of the "Conflict of Interest Oversight Committee" and the appointment of Peter Neville to chair this committee. Mr. Neville asked that anyone who has limited conflict of interest possibilities to volunteer to be members of the committee. Ray Ledoux, Jay Condon, and Pat Ciaramella volunteered. Peter Neville will recommend a Conflict of Interest Oversight Committee and present it to the Board for acceptance.

Chairman Marturano moved onto the third board action of the meeting. Individual votes funding the authorization of NSP award recipients were taken. Chairman explained why it was necessary to provide individual votes for each contract and that Robert Jenkins would provide information and status of recipients.

Southeastern Massachusetts Affordable Housing Corporation Inc. (SMAHC) is our first NSP recipient requiring a vote. At this time Chairman Marturano identified two (2); potential conflict of interest; Mr. Gerard Nadeau (absent) and Mr. Tim Cruise. For the record Mr. Cruise wanted it known that he has no financial interest in SMAHC and recused himself by leaving the board room. Richard Sergi then identified himself with a potential conflict of interest. While Mr. Sergi stated he does not sit on SMAHC board nor is he employed SMAHC he has close ties with agency and voluntarily recused himself from the discussion by leaving the board room. Mr. Nadeau is a volunteer on SMAHC board of directors.

Voted (3): Mr. Jenkins read the votes as described in schedule A;
Motion was made by Jay Condon to authorize BBB to enter into a contract with SMAHC as described in schedule A, seconded by John Merian.
Discussion: Mr. Jenkins provided an update on SMAHC activities under their NSP contract. Mr. Ray Ledoux asked: are there any remedial actions required on this contract? Mr. Jenkins responded no.
Motion was voted and approved.
The following members recused themselves from the discussion and vote: Mr. Tim Cruise and Mr. Richard Sergi. Mr. Nadeau was absent from the meeting.
16-for; 0-against; 2-abstention/recuse

Voted (4): Mr. Jenkins read the votes as described in schedule A;
Motion was made by Peter Neville to authorize BBB to amend SMAHC contract as described in schedule A, seconded by Jamie Holmgren.
Discussion: Chairman Marturano provided information that SMAHC had an opportunity to acquire additional units for rehabilitation in a target neighborhood. Mr. Ray Ledoux asked: are there any remedial actions required on this contract? Mr. Jenkins responded no and that this would be an amendment to their current contract. Motion was voted and approved.
The following members recused themselves from the discussion and vote: Mr. Tim Cruise and Mr. Richard Sergi. Mr. Nadeau was absent from the meeting.
16-for; 0-against; 2-abstention/recuse

Once the vote and discussion was completed both Mr. Cruise and Mr. Sergi rejoined the board.

Chairman Marturano identified the Old Colony YMCA as the next agenda discussion. He identified himself as having a direct conflict of interest, due to the fact that he is an employee of Old Colony YMCA. He recused himself and asked Mr. Peter Neville to chair the Board Meeting in his absence, and left the board room. The following board members also identified themselves as having indirect conflict of interest and recused themselves from the discussion and vote by leaving the board room: Mr. John Merian, family trust leases space to Old Colony YMCA; Mr. Mr. Joe Stadelmann, Stadelmann Electrical Contractors Inc. does electrical work for the Y from time to time; Mr. Ted Lane, serves on the Y Board of Directors; Mr. David Curtis and Mr. Richard Hynes also serve on the Board of Directors for Old Colony YMCA recused themselves as they were in attendance via conference call.

Vote (5): Mr. Jenkins read the votes as described in schedule A;
Motion was made by Jay Condon to authorize BBB to enter into contract with Old Colony YMCA as described in schedule A, seconded by Christopher Cooney.

Discussion: Mr. Jenkins informed the board that HUD had instructed BBB not to execute this contract until such time that the “conflict of interest” issues had been properly resolved.

Motion was voted and approved with the following conditions:

Approval by HUD of BBB “Conflict of Interest Policy”; and the specific vote on the award and subject to no financial benefit to any board member.

12-for; 0-against; 6-abstention/recuse

After the discussion and vote the following board members rejoined the board of directors: Mr. Marturano, Mr. Merian, Mr. Lane, Mr. Hynes and Mr. Stadelmann. Mr. Neville then returned the chair to Mr. Marturano.

Mr. Marturano then moved on to Neighborhood Housing Services of the South Shore. He asked are there any known “conflict of interest” with this agency? It was acknowledge that there are no known conflicts of interest with this agency. He then proceeded to ask Mr. Jenkins to read the vote for Neighborhood Housing Services of the South Shore.

Vote (6): Mr. Jenkins read the votes as described in schedule A;

Motion was made by Jay Condon to authorize BBB to enter into a contract with Neighborhood Housing Services of the South Shore as described in schedule A, second by Mr. Holmgren.

Discussion: Mr. Jenkins provided an update on NHS activities under their NSP contract. Mr. Ray Ledoux asked: are there any remedial actions required on this contract? Mr. Jenkins responded no.

Motion was voted and approved.

18 For- 0 Against

Brockton Economic Development Council Corporation was identified as our next NSP recipient. The following board members recused themselves from the discussion and vote by leaving the board room: Christopher Cooney, due to a potential perceive conflict of interest stemming from the relationship between the employees at EJ Smith Company and BEDCC (EJ Smith Company leases spaces from the Metro South Chamber of Commerce); Pat Ciaramella, indirect (board member of MSCC); Ray Ledoux, indirect (board member of MSCC); Peter Neville, indirect (board member of MSCC); and Ms. Sue Joss indirect (board member of MSCC). Ms. Joss was in attendance via conference call and did not participate in the discussion or vote.

Vote (7): Mr. Jenkins read the votes as described in schedule A;

Motion was made by Jay Condon to authorize BBB to enter into a contract with Brockton Economic Development Council Corporation (BEDCC) as described in schedule A, second by Mr. Ted Lane.

Discussion: Mr. Jenkins provided an update on BEDCC activities under their NSP contract. Mr. Condon asked: are there any remedial actions required on this contract? Mr. Jenkins responded no.

Motion was voted and approved.

13-for; 0-against; 5-abstention/recuse

After the discussion and vote the following board members returned to the board room: Christopher Cooney, Pat Ciaramella, Ray Ledoux, and Peter Neville. Ms. Joss returned to via the conference call.

Chairman Marturano then moved on to the finale NSP recipient “Engaged Ministries”. He asked are there any know “conflict of interest” with this agency? It was acknowledge that there are no known conflicts of interest with this agency. Chairman Marturano acknowledged that EM is currently under deferment (suspension) until such time the non-profit can perform the agreed upon NSP contractual obligation. Mr. Jenkins has discussed the matter with HUD and has been give approval to send a 30 day notice (“to perform”) or be dropped from the NSP. Mr. Jenkins intention is to send notice prior

to November 30, 2009. In the mean time however, the Chairman acknowledges we have an executed contract with EM that requires ratification.

Vote (8): **Mr. Jenkins read the votes as described in schedule A;**
Motion was made by Jay Condon to authorize BBB to enter into a contract with Engaged Ministries as described in schedule A, second by Ted Lane.
Discussion: Mr. Jenkins provided more details on EM lack of capacity to fulfill their obligation under their NSP contract. Mr. Holmgren and Mr. Neville wanted more clarity on how BBB was going to proceed with EM. Mr. Jenkins informed the board that EM had not received anything in writing would not until after the 1st of November.

Motion was voted and approved with the following conditions:
EM receives a letter from BBB after November 1st giving them a 30 day notice to perform or be dropped from the Neighborhood Stabilization Program. Mr. Jenkins and BBB would not release Engaged Ministries funding without previously informing the Board.
18 For- 0 Against

Adjournment: Motion was made at 4:50 PM to adjourn the Building a Better Brockton board meeting by Peter Neville; second by Christopher Cooney. Motioned approved: 18 for- 0 against

Minutes prepared by: Robert Jenkins, Director of Housing
Thursday, October 29, 2009

Clerk Signature:


Christopher Cooney

11/17/09
Date